

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

JENNIFER L. MILLER, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
MICHAEL J. ANDERSON, <i>et al.</i> ,	)	Judge John R. Adams
	)	
Defendants,	)	Case No. 5:20-cv-01743-JRA
	)	
and	)	
	)	
FIRSTENERGY CORP.,	)	
	)	
Nominal Defendant.	)	

**THE D&O DEFENDANTS' FIFTEENTH STATUS REPORT**

Pursuant to the Case Management Plan (Doc. #160) and the Court's instruction at the November 8, 2021 conference (Doc. #166 at 49:1-5), outside directors Michael J. Anderson, Steven J. Demetriou, Julia L. Johnson, Donald T. Misheff, Thomas N. Mitchell, James F. O'Neil, III, Christopher D. Pappas, Sandra Pianalto, Luis A. Reyes, Leslie M. Turner (together, the "Director Defendants"), and FirstEnergy's current CEO, Steven E. Strah, and CFO, K. Jon Taylor (with the Directors, the "D&O Defendants") hereby submit their fifteenth status report and provide the following updates:

- 1. Discovery that has occurred during the 45-day period since the August 7, 2023 filing of the D&O Defendants' fourteenth status report (Doc. #433):** None.
- 2. Settlement discussions that have occurred during the reporting period:** None.
- 3. Motions that have been filed by the D&O Defendants or motions by the D&O Defendants that remained pending during the reporting period:** On August 24,

2022, the parties jointly filed a Motion to Dismiss with Prejudice (Doc. #353). That motion remains pending.

- 4. Any developments that might give rise to a request to deviate from the schedule outlined in the Case Management Plan:** On August 23, 2022, the Southern District of Ohio in *Employees Retirement System of the City of St. Louis, et al. v. Jones, et al.*, No. 2:20-cv-04813 (S.D. Ohio), granted final approval of the settlement, fully releasing all claims covered by the settlement and dismissing the action with prejudice. On May 22, 2023, the Southern District of Ohio denied Objector Todd Augenbaum's motion for reconsideration of the court's order of final settlement approval. (*St. Louis*, Doc. #205.) On June 15, 2023, Objector Todd Augenbaum filed a notice of appeal to the U.S. Court of Appeals for the Sixth Circuit and filed his opening brief on September 14, 2023.

Dated: September 21, 2023

Respectfully submitted,

/s/ Geoffrey J. Ritts

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was filed electronically on September 21, 2023.

Notice of this filing will be sent to all electronically registered parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Marjorie P. Duffy

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*One of the Attorneys for Defendants Michael J. Anderson, Steven J. Demetriou, Julia L. Johnson, Donald T. Misheff, Thomas N. Mitchell, James F. O'Neil, III, Christopher D. Pappas, Sandra Pianalto, Luis A. Reyes, Leslie M. Turner, Steven E. Strah, and K. Jon Taylor*